

AMENDMENT NO. \_\_\_\_\_

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**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 431 House Bill No. 546**

by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-22-102, is amended by deleting the existing subdivision (5) and by substituting the following as new subdivision (5):

(5) License as professional counselors applicants who satisfy the requirements of §§63-22-104, 63-22-107 and 63-22-110; and establish by rule any additional qualifications of the applicants necessary for the practice of professional counseling as herein provided;

SECTION 2. Tennessee Code Annotated, Section 63-22-104 is amended by adding the following language as a new subdivision thereto:

(6) Has met any additional criteria of the board established by rule;

SECTION 3. Tennessee Code Annotated, Section 63-22-107 is amended by adding the following new subsections thereto:

(d) On or after July 1, 1995, an applicant for licensure as a professional counselor designated as a mental health service provider shall meet the requirements of §63- 22-104, §63-22-110, and Section 8 of this act.

(e) Until June 30, 1997, a currently licensed professional counselor who wishes to obtain designation as a mental health service provider may do so by documenting both training and experience relative to the diagnosing, treating,

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appraisal and assessment of mental disorders or by documenting training and experience in teaching these courses for a minimum of three (3) years as a university professor. The training and experience documented must be substantially equivalent to that required for new Licensed Professional Counselors designated as mental health service providers.

(f) Any Licensed Professional Counselor who does not wish to secure designation as a mental health service provider may maintain his/her license, but is ineligible to appraise, assess, diagnose or treat conditions attributable to a mental disorder.

SECTION 4. Tennessee Code Annotated, Section 63-22-116 is amended by deleting such section in its entirety and by substituting instead the following:

Section 63-22-116. (a) The board may license without examination a professional counselor applicant who is currently licensed in another state if the applicant's qualifications meet the licensure requirements under this chapter.

(b) The board may enter into a reciprocal agreement with any other state that licenses, certifies or registers professional counselors, if the board finds that such state has substantially the same or higher licensure requirements than Tennessee. This agreement shall provide that the board shall license any resident of another state who is currently licensed, certified or registered by that

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state, if such resident has met the same or higher requirements as provided for herein.

SECTION 5. Tennessee Code Annotated, Section 63-22-150(1), is amended by adding the following language and punctuation to the end of the first sentence:

, except as provided in Section 63-22-150(5)

SECTION 6. Tennessee Code Annotated, Section 63-22-150(4), is amended by adding the following language and punctuation to the end of the second sentence:

, except as provided in Section 63-22-150(5)

SECTION 7. Tennessee Code Annotated, Section 63-22-150 is amended by adding the following language as a new subdivision thereto:

(5) "Practice of counseling as a mental health service provider"

means the application of mental health and human development principles in order to:

(A) facilitate human development and adjustment throughout the life span;

(B) prevent, diagnose, and treat mental, emotional or behavioral disorders and associated disorders which interfere with mental health;

(C) conduct assessments and diagnoses for the purpose of establishing treatment goals and objectives; and

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(D) plan, implement, and evaluate treatment plans using counseling treatment interventions. Counseling treatment interventions shall mean the application of cognitive, affective, behavioral and systemic counseling strategies which include principles of development, wellness, and pathology that reflect a pluralistic society. Nothing in this definition shall be construed to permit the performance of any act which licensed professional counselors designated as mental health service providers are not educated and trained to perform, nor shall it be construed to permit the designation of testing reports as "psychological".

SECTION 8. Tennessee Code Annotated, Title 63, Chapter 22, is amended by adding a new section thereto, as follows:

A professional counselor licensed under this chapter and designated as a mental health service provider must meet the following criteria:

- (1) Has met all qualifications for licensure as a professional counselor as stated in §63-22-104 and §63-22-110;
- (2) Has completed a minimum of nine (9) graduate semester hours of coursework specifically related to diagnosis, treatment, appraisal and assessment of mental disorders; and
- (3) Has completed the two (2) years of post-masters supervised experience required for licensure in a clinical setting which provides

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substantial opportunities to diagnose, treat, appraise and assess mental disorders.

SECTION 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act: are declared to severable.

SECTION 10. No part of this act shall be deemed invalidated by any other currently existing law.

SECTION 11. This act shall take effect July 1, 1995, the public welfare requiring it.